

REMARKS

Claims 1-21 are pending in this application. By this Amendment, claims 1, 4-6, 8, 10-16 and 19-21 are amended. No new matter is added.

I. Claim Rejections Under 35 U.S.C. §101

Claim 21 is rejected under 35 U.S.C. §101 for allegedly being directed to non-statutory subject matter. Specifically, the Office Action alleges that claim 21 is not directed to any of three accepted product classes including a machine, a manufacture, or a composition of matter. The rejection is respectfully traversed.

Applicants assert that the claimed carrier wave recited in rejected claim 21 does fit into a statutory product class. Specifically, a computer signal embedded in a carrier wave is considered to be a specific machine or manufacture by the U.S. Patent and Trademark Office. Applicants refer to Examination Guidelines for Computer-Related Inventions, March 28, 1996. Page 38 of those guidelines at Box 10, Question 10 explicitly indicates that such a carrier wave is considered to be a specific machine or a manufacture by the U.S. Patent and Trademark Office.

The Office Action further alleges that claim 21 reads on a "computer program per se" which does not constitute statutory subject matter as prescribed under 35 U.S.C. §101. Applicants again refer to Examination Guidelines for Computer-Related Inventions, page 38, Box 6, Question 6, which explicitly indicates that such a claimed invention is not a computer program per se. Additionally, as indicated in the Claim Analysis section of the Examination Guidelines, a computer signal embedded in a carrier wave, "reviewed as a whole, and given its broadest reasonable interpretation, the claim is limited to a specific article of manufacture. Also, the computer program is embedded on a computer-readable medium "the carrier wave." Thus, Applicants respectfully request the rejection of claim 21 under 35 U.S.C. §101 be withdrawn.

II. Claim Rejections Under 35 U.S.C. §102

Claims 1-21 are rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent 6,421,733 to Tso et al. (Tso). The rejection is respectfully traversed.

Applicants assert that Tso does not disclose each and every feature recited in the rejected claims, as amended. For example, Tso does not disclose a system for managing identity information in a merged content portion, comprising an identity storage that stores identity information including content elements and style sheet information, associated with a client and user ... and a merging circuit that determines a merged content portion based on received information and the stored identity information associated with at least one of the client and the user to render the merged content portion according to the content elements and the style sheet information, as recited in amended claim 1. Furthermore, Tso does not disclose a method for managing identity information as recited in amended claim 6, a computer readable storage medium as recited in amended claim 11, a system for managing identity information in a merged content portion is further recited in amended claim 16, or a carrier wave encoded to transmit a control program usable for managing identity information to a device for executing a control program, as recited in amended claim 21.

Tso discloses a system for dynamically transcoding data transmitted between two computers over a communications link (col. 1, lines 10-14). Tso employs a "smart" proxy server to transcode data requested from a client server (col. 3, lines 8-40). When a network client 12 requests a hypertext object, http remote proxy retrieves the hypertext object from a parser 22 which is part of a remote server. A transcode service provider 24 is selected to transcode the data prior to returning the requested object to the client (col. 6, lines 24-50). The parser 22 may selectively invoke a particular transcode service provider 24 based upon satisfaction of a predetermined selection criterion, such as for example, information contained

in a header portion of a data packet received by the transcoding server 34 (col. 6, line 64 – col. 7, line 2).

Although the particular transcode service provider may be selected dependent upon predetermined selection criterion comprised of the network client 12 such as a display dimension, resolution, number of colors, processor type, memory/disk configuration, modem or network interface, and the user identity, such selection of a transcode service provider is invoked by the parser 22 is performed so as to retrieve the correct requested hypertext object.

Thus, Tso fails to disclose an identity storage that stores identity information associated with a client and user including content elements and style sheet information. Furthermore, once the proper hypertext object is retrieved using the selected transcode service provider, the hypertext object is returned to the proxy server and passed to the client without further manipulation. Thus, Tso does not disclose a merging circuit that determines a merged content portion based on received information and the stored identity information associated with one of the client and the user to render the merged content portion according to the content elements and the style sheet information. Accordingly, Applicants respectfully request the rejection of claims 1-21 under 35 U.S.C. §102(e) be withdrawn.

III. Conclusion

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-21 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff
Registration No. 27,075

John W. Fitzpatrick
Registration No. 41,018

JAO:JWF/ldg

Attachments:

Examination Guidelines, Claims, pages 37-39
Examination Guidelines, Claim Analysis, page 4

Date: October 20, 2004

OLIFF & BERRIDGE, PLC
P.O. Box 19928
Alexandria, Virginia 22320
Telephone: (703) 836-6400

<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 24-0037</p>
